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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,295	07/24/2003	Raymond Lind	30374/38076A	2372
4743 7590 10/04/2007 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER STOKELY-COLLINS, JASMINE N	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/627,295	LIND, RAYMOND	
	Examiner	Art Unit	
	Jasmine Stokely-Collins	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-10, and 13-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Komsí (US 2003/0220970 A1).

Regarding claim 1, Komsí teaches a video entertainment satellite network system (abstract, figure 3) comprising:

a plurality of video entertainment satellite systems (figure 3 elements 302a and 302b),

each video entertainment satellite system comprising a video jukebox (Komsí

teaches an electronic disc jockey which plays music based on the user's

preferences [page 5 section 0037], via client station 302a, and is also responsive

to user requests [page 6 section 0042]) adapted to receive inputs from a plurality

of input devices and send output to a plurality of output devices (page 4 section

0033); and

a satellite communication device (figure 3 element 315a);

wherein each video entertainment satellite system is adapted to communicate with other video entertainment satellite systems through a satellite

communication network by the satellite communication device (page 6 section 0043, figure 3 element 304).

Regarding claim 2, when read in light of claim 1, Komsi further teaches each video jukebox including an audio and video communication panel (page 2 section 0023, where the included input and output items include multiple audio and video communication means that operate as an audio and video communication panel), a control panel (page 2 section 0021, page 3 section 0026) and an access authorization panel (page 5 section 0037, page 5 section 0039).

Regarding claim 5, when read in light of claim 1, Komsi further teaches each video entertainment satellite system includes a computing and data storage device adapted for two-way communication with the video jukebox (page 2 section 0021).

Regarding claim 6, when read in light of claim 1, Komsi further teaches each video entertainment satellite system includes an internet portal adapted to

provide two-way communication with the internet for the video jukebox (page 2 section 0020).

Regarding claim 7, when read in light of claim 1, Komsi further teaches the plurality of input devices includes a microphone (page 2 section 0023).

Regarding claim 8, when read in light of claim 1, Komsi further teaches the plurality of input devices includes at least a video camera (page 2 section 0023).

Regarding claim 9, when read in light of claim 1, Komsi further teaches the plurality of output devices include audio broadcast and video display devices (page 2 section 0023).

Regarding claim 10, Komsi teaches a video entertainment satellite system comprising:

a video jukebox having an audio and video communication panel (page 2 section 0023, where the included input and output items include multiple audio and video communication means that operate as an audio and video communication panel), a control panel (page 2 section 0021, page 3 section 0026) and an access authorization panel (page 5 section 0037, page 5 section 0039);
a plurality of input devices adapted to provide input to the video jukebox from a user (page 4 section 0033);

a plurality of audio and video output devices adapted to receive communication from the video jukebox and output the communication (page 4 section 0033); and means for communicating with at least another remotely located video jukebox (page 6 section 0043, figure 3 element 304).

Regarding claim 13, when read in light of claim 10, see analysis of claim 5.

Regarding claim 14, when read in light of claim 10, see analysis of claim 6.

Regarding claim 15, when read in light of claim 10, see analysis of claim 7.

Regarding claim 16, when read in light of claim 10, see analysis of claim 8.

Regarding claim 17, Komsí teaches a method of providing networked satellite entertainment (abstract) comprising:
connecting a plurality of video entertainment satellite systems to a communication network, each video entertainment satellite system including a video jukebox (Komsí teaches an electronic disc jockey which plays music based

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on the user's preferences [page 5 section 0037], via client station 302a, and is also responsive to user requests [page 6 section 0042]) adapted to receive inputs from a plurality of input devices and send output to a plurality of output devices (page 2 section 0023), wherein the output of the video jukebox is available to the plurality of video entertainment satellite systems through the communication network (page 1 section 0006);

providing interactive audio and video at each video jukebox of each video entertainment satellite system (page 5 section 0040), the interactive audio and video being provided pending a user communicating authorization for receiving the interactive audio and video to the video jukebox (page 6 section 0042);

storing usage data of the interactive audio and video for the video jukebox of each video entertainment satellite system, wherein the usage data is available to the plurality of video entertainment satellite systems through the communication network (page 5 section 0037); and

wherein each of the plurality of video entertainment satellite systems and the plurality of video entertainment satellite systems are adapted to vary operations characteristics thereof based on the usage data (page 5 section 0037).

Regarding claim 18, when read in light of claim 17, Komsi further teaches each video entertainment satellite system includes a satellite communication device, and wherein the communication network is a satellite communication network (page 4 section 0034).

Regarding claim 19, when read in light of claim 17, Komsi further teaches each video entertainment satellite system includes an internet communication portal, and wherein the communication network is adapted to operate through the internet portal by the internet (page 4 section 0034).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komsi (US 2003/0220970 A1) in view of Nathan (US 6,308,204).

Regarding claim 3, when read in light of claim 2, Komsi teaches the video entertainment satellite network system of claim 2.

Komsi does not teach the access authorization panel comprising at least a memory card reader.

Nathan teaches an access authorization panel comprising at least a memory card reader (column 5 line 65 - column 6 line 2, where the payment device accepts magnetic chip cards). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to add the card reader of Komsí to the video entertainment satellite system taught by Komsí for the benefit of enabling a convenient payment method through the video entertainment device.

Regarding claim 4, when read in light of claim 2, Nathan further teaches the access authorization panel includes means for receiving a payment from a user, the payment authorizing the user to use the video jukebox (column 5 line 65 - column 6 line 2).

Regarding claim 11, when read in light of claim 10, see analysis of claim 3.

Regarding claim 12, when read in light of claim 10, see analysis of claim 4.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komsí (2003/0220970 A1) in view of Lerner (US 2002/0032904).

Regarding claim 20, when read in light of claim 17, Komsí teaches the method of claim 17.

Komsí does not teach each video jukebox includes a memory card reader for storing and retrieving the usage data from a memory card of the user.

Lerner teaches each video jukebox includes a memory card reader for storing and retrieving the usage data from a memory card of the user (page 2 section 0012). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Lerner with the method taught by Komsi for the benefit of monitoring a user's viewing/listening habits and preferences for targeted ad presentation.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kumar (US 6,514,083 B1) teaches an interactive karaoke machine able to connect to a satellite system.

Goci (US 2004/0010800 A1) teaches a video jukebox network system.

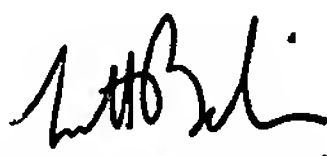
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Stokely-Collins whose telephone number is 571-270-3459. The examiner can normally be reached on M-Th 8:00-6:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on 571-272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jasmine Stokely-Collins


SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER